

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF MISSISSIPPI  
GREENVILLE DIVISION**

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**MARY GRIFFIN**

**PLAINTIFF**

**V.**

**CASE NO. 4:05CV11**

**DOLLAR GENERAL CORPORATION**

**DEFENDANT**

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**ORDER**

The court presently has before it plaintiff's objections to Magistrate Judge Bogen's report and recommendation recommending that this case be dismissed on the basis of judicial estoppel. Having reviewed Judge Bogen's report, as well as plaintiff's objections thereto, the court concludes that plaintiff has failed to demonstrate that Judge Bogen erred in his ruling, and the court will therefore adopt Judge Bogen's ruling as its own.

It is therefore ordered that Judge Bogen's recommendation that this case be dismissed is adopted as the court's own, and defendant's motion to dismiss [15-1] is therefore granted.

A separate judgment will be issued this date, in accordance with Fed. R. Civ. P. 54.

So ordered, this the 13<sup>th</sup> day of July, 2006.

/s/ Michael P. Mills  
**UNITED STATES DISTRICT JUDGE**